

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DONALD HESS, ELIZABETH PADILLA,
JUDITH HOLLAND, TIKA JONES, HARRY
LICHTMAN, DAWN MESA, ALEXANDRIA
SMITH and EMILY VAHUE, individually and
on behalf of all others similarly situated,

Plaintiff,

21 CIVIL 4099 (JLR)(RWL)

-against-

JUDGMENT

BED BATH & BEYOND INC.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated January 25, 2023, the Court adopts the Report & Recommendation in its entirety. The Court GRANTS Defendant's motion to dismiss and DISMISSES the case without prejudice to Plaintiffs filing in state court. The lack of any timely objections, in light of the clear notice provided in the Report, precludes appellate review of this decision. See Frank, 968 F.2d at 300; Lee, 473 F. Supp. 2d at 436; accordingly, the case is closed.

Dated: New York, New York
January 25, 2023

RUBY J. KRAJICK

BY:

Clerk of Court



Deputy Clerk